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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,123	10/29/2003	Eric M. Gross	D/A2519	6971

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EXAMINER

BRASE, SANDRA L

ART UNIT PAPER NUMBER

2852

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/696,123

Applicant(s)

GROSS ET AL.

Examiner

Sandra L. Brase

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☒ Claim(s) 6 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/29/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 132, 166, 172, 182, 184, 186, 190 and 302. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 46; 74; 76 and 169. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either

Art Unit: 2852

“Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “12” has been used to designate both support bars and rollers and a direction; and reference character 76 has been used to designate both a roller and an area in a developer housing. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Specification*

4. The disclosure is objected to because of the following informalities.

On page 9, lines 9, 16 and 19, “172, 174” should be changed to “172 and 174”.

On page 9, lines 9, 20, 21, 23, 25, 27 and 28, on page 10, lines 4, 5, 7, 9, 15, 17, 19, 20, 23 and 25, and on page 11, lines 2, 3, 9, 10 and 22, “176, 178” should be changed to “176 and 178”.

Art Unit: 2852

On page 9, line 22, and on page 10, lines 8, 12 and 13, “182, 184” should be changed to “182 and 184”.

On page 10, lines 14, 16, 17, 22, 24 and 26, and on page 11, lines 2, 4 and 11, “186, 188” should be changed to “186 and 188”.

On page 13, line 1, “system. .” should be changed to “system.”.

On page 16, line 11, and on page 19, lines 16-17, the language “optionally transported to the imaging surface” is unclear and should be revised.

Appropriate correction is required.

### ***Claim Objections***

5. Claims 1-7 are objected to because of the following informalities. Appropriate correction is required.

On line 20 of claim 1, the language “and optional transported to the imaging surface” should be revised to clarify the meaning thereof.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2852

7. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Folkins et al. (US 5,341,197).

8. Folkins et al. (...197) disclose an apparatus for developing a latent image recorded on a movable imaging surface, including: a reservoir (46) for storing a supply of developer material including toner particles, the reservoir including a transport member (44) (col. 3, line 62 – col. 4, line 4); a donor member (40) being arranged to receive toner particles from the transport member and to deliver toner particles to the image surface at locations spaced apart from each other in the direction of movement of the imaging surface thereby to develop the latent image thereon (col. 3, line 49 – col. 4, line 6); a power supply, connected to the donor member, for biasing the donor member to deliver toner to the image surface during a printing mode of operation (col. 5, lines 37-43); a second power supply, connected to the transport member, for maintaining a predefined voltage difference between the transport member and the donor member such that toner particles are attracted to the donor member from the transport member during a printing mode of operation (col. 5, line 63 – col. 6, line 2); means for generating a donor member purge signal trigger based on calculated development conditions (col. 6, line 52 – col. 7, line 7); and a power supply controller, responsive to the donor member purge signal, for changing the voltage between the donor member and the transport member during a second mode of operation thereby causing toner to partially or completely transfer back to the transport member (col. 7, line 8 – col. 8, line 19). A bias is supplied between the donor member and the transport member having a dc component of 100 V during a printing mode of operation (col. 5, line 63 – col. 6, line 2), where a positive sign of bias is defined such that toner particles are attracted to the donor member from the transport member (col. 7, lines 21-43). During a purging mode of operation, a

Art Unit: 2852

bias is supplied between the donor member and the transport member having a dc component that is less than the dc bias used during the printing mode of operation, where a positive sign of bias is defined such that toner particles are attracted to the donor member from the transport member (col. 7, lines 21-67). The purging mode can be enabled during cycle up or after a run time (col. 6, line 52 – col. 7, line 7).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Folkins et al. (US 5,341,197).

Art Unit: 2852

Folkins et al. (...197) discloses the features mentioned previously and disclose operating the purge mode at selected times, but do not disclose the exact number of donor revolutions per purge mode initiation. The exact number of donor revolutions per purge mode initiation can be determined merely through routine experimentation. It would have been obvious to one of ordinary skill in the art at the time of the invention to have the purge cycle initiated after the claimed number of donor revolutions since such a selection can be obtained through merely routine experimentation.

***Allowable Subject Matter***

12. Claims 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Prior Art***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Folkins et al. (US 5,420,375) and Folkins et al. (US 6,049,686) disclose cleaning a donor roll.

***Inquiry***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra L. Brase whose telephone number is (571) 272-2131. The examiner can normally be reached on Monday-Thursday and alternate Fridays.



Art Unit: 2852

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley, can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sandra L. Brase  
Primary Examiner  
Art Unit 2852

February 18, 2005